

## **AMENDMENTS TO THE DRAWINGS**

The enclosed nine sheets of replacement drawings include changes to FIGS. 1-10 and replace the original nine sheets of drawings that included FIGS. 1-10.

In FIGS. 1-10, all handwritten reference characters and captions have been replaced with typed reference characters and captions.

## REMARKS

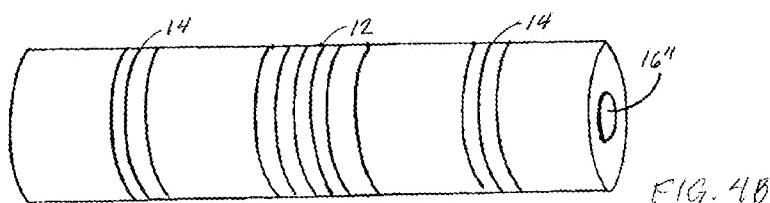
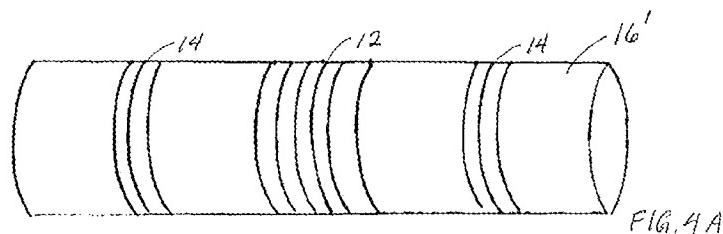
### In the Claims

Applicant acknowledges the examination of claims 1-12, and that claims 13-41 have been withdrawn from examination.

In the present amendment, claims 1-12 have been canceled and replaced by new claims 42-53, and claims 32-41 also have been canceled as directed to non-elected Group II. Claims 13-31 remain withdrawn from examination.

It is submitted that claim 42 is still a generic claims. Because new claims 42-53 are essentially directed to the same subject matter as claims 1-12, the grounds for rejection in the Office Action of 12/26/2007 will be discussed herein in detail.

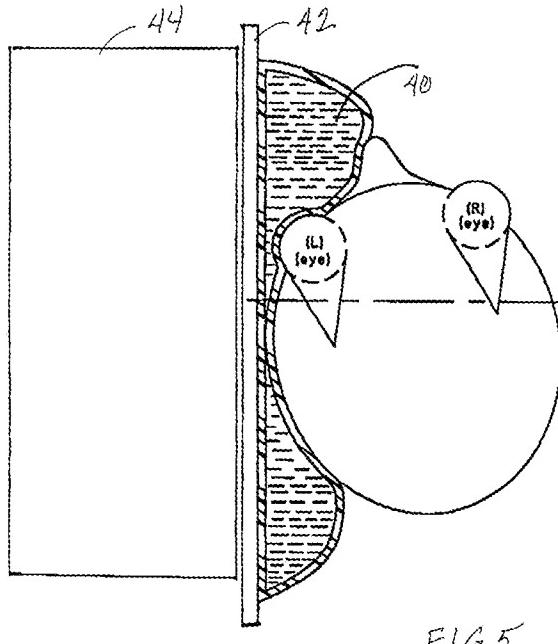
Concerning the rejection under 35 USC 102(e) over U.S. Patent Publication No. 2002/0151779 to Avrin et al. ("Avrin"), Avrin discloses a source-sensor unit for a magnetic susceptibility measuring instrument, in which an applied field coil and two sensor coils are wrapped around a single coil form. As disclosed in paragraph [0038] of Avrin and as illustrated in FIGS. 4A-4B also of Avrin (reproduced below), the coil form is a single mass that is either solid (FIG. 4A) or that has a longitudinal bore (FIG. 4B):



Therefore, Avrin does not teach or suggest "a first screening region being interposed between the source and the first sensor and a second screening region being interposed

between the source and the second sensor" and "means for disposing the body within the first or the second screening region," as in Applicant's claim 42.

In fact, Avrin discloses at paragraphs [0048]-[0049] that the sensing instrument is pressed against the body during use and that a water bag is interposed between the instrument and the body, as shown in FIG. 5 of Avrin (reproduced below):



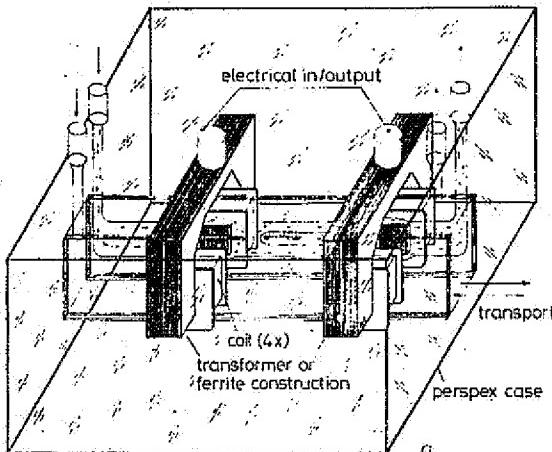
In particular, Avrin explains at paragraph [0049] that reference numeral 44 indicates "the source-sensor unit," which is defined at paragraph [0009] as "a single, rigid unit" which combines "the magnetic field source, or sources, and the magnetic sensor, or sensors."

Applicant also notes that another difference between Avrin's and Applicant's disclosures is that Avrin requires the use of a water bag, which instead is not required in Applicant's invention.

At least for the foregoing reasons, Avrin does not anticipate Applicant's invention.

Concerning the rejection under 35 USC 103(a) over the combination of Avrin with the publication "Measurement of magnetic susceptibility in living rats" by Steketee et al. ("Steketee"), it is respectfully submitted that Steketee fails to provide the missing elements in Avrin.

Steketee discloses a magnetic susceptibility meter for in vivo measurement of iron in a body. In one embodiment, cited by the Examiner and illustrated in FIG. 2a of Steketee (reproduced below), a heat-shielded transport tunnel crosses through two transformers:



Therefore, Steketee does not teach or suggest that the body is disposed in a first or a second screening region interposed between the source and a first or a second sensor by using the means disclosed by Applicant, but teaches instead that a tunnel extends longitudinally through both coils. Other limitations of the dependent claims also are not taught by Avril or Steketee, for example, heating and cooling elements in the tunnel walls, or a computer that acquires the output signal of an amplifier that is synchronized with the introduction and extraction of a sample from the first or the second screening regions.

Even if Avril and Steketee taught all the limitations of Applicant's claimed invention (which Applicant disputes), the combination of Avril with Steketee appears to be inoperable, because Avril teaches maintaining the body outside of the susceptometer during iron measurement and using a water bag between the susceptometer and the body, while Steketee teaches introducing the body into the susceptometer and having the body surrounded by air.

Further, even if Avril and Steketee were combinable (which Applicant disputes), no reason for the combination is apparent from the record. In *KSR International Co. v. Teleflex Inc.*, 82 USPQ2nd 1385 (2007), the Supreme Court held that a reason for combining the cited references must be present, and that such reason may be derived either from the prior art or from the status of the art in general. At the same time, the Supreme Court admonished against using impermissible hindsight. In *KSR*, the reason for combining was evidence of a market requirement at the time of the invention for a gas pedal having a certain configuration.

Applicant respectfully submits that no evidence has been provided either from the prior art or other sources of why a person skilled in the art would have combined the two cited references, therefore, that a holding in the Office Action that "using tunnels would provide means for introducing the body into the screening region without usage of a water bag" appears to be based only on impermissible hindsight. As evidence, Applicant notes that Steketee was published over 20 years before Avrin and that the proposed combination was not chosen or even discussed by Avrin, indicating that the non-obviousness of the proposed combination.

**In the Drawings**

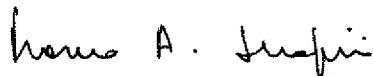
In the enclosed nine replacement sheets, handwritten reference characters and captions have been replaced with typed characters, as requested in the Office Action. No new matter has been added.

**Conclusion**

It is believed that all objections and rejections in the application have been addressed, and that the application is now in condition for allowance. A notice to that effect is respectfully requested.

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Respectfully submitted,



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